



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2593

DATE SCANNED

5/15/13

SCANNER NO.

2

SCAN OPERATOR

EES

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2012 NOV 30 PM 3: 20

November 30, 2012

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: *JW* Jodi Winship/Sari Pickera *SP*
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2012 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2012 October Quarterly Report in accordance with 2 U.S.C. 434(a). The 2012 October Quarterly Report was due on October 15, 2012.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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Federal Election Commission
Reason to Believe Circulation Report
2012 OCTOBER QUARTERLY Not Election Sensitive 10/15/2012 H_S_P_UNAUTH

| AF# | Committee ID | Committee Name | Candidate Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|---|--------------------------|-----------------------|-------------|----|--------------|-----------|-----------------|-------------|
| 2573 | C00518468 | BENNETT FOR SENATE COMMITTEE | BENNETT, RICHARD A | JOSHUA A. TAROY | \$439,695 | 0 | 10/31/2012 | 16 | \$6,000 | \$135 |
| 2574 | C00519886 | BRUCE PELLER FOR CONGRESS | PELLER, BRUCE G | PAULA ANDREA HENAO | \$106,430 | 0 | | Not Filed | \$35,477 (est) | \$990 |
| 2575 | C00493742 | BYRON GEORGIOU FOR SENATE | GEORGIOU, BYRON | MATTHEW DICKSON | \$3,490,251 | 0 | | Not Filed | \$581,709 (est) | \$11,000 |
| 2576 | C00508705 | COMMITTEE TO ELECT ERNIE BELTZ JR FOR US CONGRESS | BELTZ, ERNIE ALAN JR | NATHAN CHRISTOPHER | \$151,759 | 0 | | Not Filed | \$50,586 (est) | \$2,970 |
| 2577 | C00504266 | CONNECTICUT FOR PETER LUMAJ | LUMAJ, PJERIN (PETER) | ANTON RUKAJ | \$527,867 | 0 | | Not Filed | \$131,967 (est) | \$4,950 |
| 2578 | C00506741 | DAN HUGHES FOR SENATE | HUGHES, DANIEL J | MICHELLE D. MOONS | \$657,158 | 0 | | Not Filed | \$164,290 (est) | \$6,050 |
| 2579 | C00509471 | DAN LILJENQUIST FOR US SENATE | LILJENQUIST, DAN | MCCAULEY MIKE | \$1,689,395 | 0 | 10/22/2012 | 7 | \$65,867 | \$907 |
| 2580 | C00458422 | DR NOREN FOR US SENATE | NOREN, SCOTT ANDREW | RICHARD PARKER | \$103,717 | 0 | 11/8/2012 | 24 | \$16,078 | \$230 |
| 2581 | C00504845 | ELECT CLARK HALL | HALL, CLARK MADISON | P.R. CLATWORTHY | \$826,596 | 0 | 10/22/2012 | 7 | \$11,803 | \$145 |
| 2583 | C00255471 | HOOSIERS SUPPORTING BUYER FOR CONGRESS | BUYER, CONGRESSMAN STEVE | STEPHANIE MATTIX | \$103,304 | 0 | 11/19/2012 | Not Filed | \$15,938 | \$550 |
| 2584 | C00507004 | JACKSON EATON FOR CONGRESS | EATON, J JACKSON | JILLIAN E. O'MALLEY | \$367,922 | 0 | | Not Filed | \$122,641 (est) | \$4,950 |
| 2586 | C00507590 | KATHLEEN HICKS FOR CONGRESS | HICKS, ERIN KATHLEEN | DR. CAMILLE RODRIGUEZ | \$181,748 | 0 | | Not Filed | \$45,437 (est) | \$990 |
| 2587 | C00501985 | KELDA FOR CONGRESS | ROY'S, KELDA HELEN | LAURENE BACH | \$842,050 | 0 | | Not Filed | \$168,410 (est) | \$6,050 |
| 2590 | C00503359 | MARK OXNER FOR CONGRESS | OXNER, MARK ANTHONY | AMPARO O. OXNER | \$169,903 | 0 | | Not Filed | \$42,476 (est) | \$990 |
| 2592 | C00517102 | Q. BYRUM HURST FOR CONGRESS | HURST, Q. BYRUM JR | QUINCY B. HURST, III | \$622,264 | 0 | | Not Filed | \$155,566 (est) | \$6,050 |
| 2593 | C00499046 | RICH BECKER FOR CONGRESS | BECKER, RICHARD H | JOHN B. MCBRIDE | \$862,207 | 0 | | Not Filed | \$51,853 | \$2,970 |
| 2594 | C00468652 | RUDY MOISE FOR CONGRESS | MOISE, RUDOLPH | MIRJAM MOISE | \$884,648 | 0 | | Not Filed | \$123,521 (est) | \$4,950 |

| AF# | Committee ID | Committee Name | Candidate Name | Treasurer | Threshold | PV | Receipt Date | Days Late | LOA | RTB Penalty |
|------|--------------|-----------------------------|---------------------------------|---------------------|-----------|----|--------------|-----------|-----------------|-------------|
| 2595 | C00509620 | SALOMON TORRES FOR CONGRESS | TORRES, SALOMON | JUAN E. RIVERA, CPA | \$161,597 | 0 | 11/1/2012 | 17 | \$4,097 | \$110 |
| 2597 | C00518027 | STEVE SALAZAR FOR CONGRESS | SALAZAR, STEVE | ROSARIO RODRIGUEZ | \$221,423 | 1 | | Not Filed | \$110,712 (est) | \$6,187 |
| 2598 | C00497222 | SUSAN ADAMS FOR CONGRESS | ADAMS, SUSAN L | TAMARA S. HILL | \$404,348 | 0 | | Not Filed | \$67,391 (est) | \$2,970 |
| 2600 | C00494773 | TERRY WHITE FOR INDIANA | WHITE, TERRY A | TERRY A. WHITE | \$310,727 | 0 | | Not Filed | \$62,145 (est) | \$2,970 |
| 2601 | C00509596 | TEXANS FOR KY GRIFFIN | GRIFFIN, KY DOUGLAS | RHONDA GRIFFIN | \$140,452 | 0 | 11/5/2012 | 21 | \$13,131 | \$215 |
| 2603 | C00497404 | WENONA FOR ARIZONA | BALDENEGRO, WENONA RAE RENAI LY | SAL RAI DENEGRO | \$231,159 | 0 | 11/1/2012 | 17 | \$28,643 | \$540 |

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2012)
October Quarterly Report (Non-Election)
Sensitive) for the Administrative Fine)
Program:)

BENNETT FOR SENATE COMMITTEE,) AF# 2573
and JOSHUA A TARDY as treasurer;)
BRUCE PELLER FOR CONGRESS, and) AF# 2574
PAULA ANDREA HENAO as treasurer;)
BYRON GEORGIU FOR SENATE, and) AF# 2575
MATTHEW DICKSON as treasurer;)
COMMITTEE TO ELECT ERNIE BELTZ) AF# 2576
JR FOR US CONGRESS, and NATHAN)
CHRISTOPHER as treasurer;)
CONNECTICUT FOR PETER LUMAJ,) AF# 2577
and ANTON RUKAJ as treasurer;)
DAN HUGHES FOR SENATE, and) AF# 2578
MICHELLE D MOONS as treasurer;)
DAN LILJENQUIST FOR US SENATE,) AF# 2579
and MIKE MCCAULEY as treasurer;)
DR NOREN FOR US SENATE, and) AF# 2580
RICHARD PARKER as treasurer;)
ELECT CLARK HALL, and) AF# 2581
CLATWORTHY, P.R. as treasurer;)

HOOSIERS SUPPORTING BUYER FOR) AF# 2583
CONGRESS, and MATTIX, STEPHANIE)
as treasurer;)
JACKSON EATON FOR CONGRESS, and) AF# 2584
JILLIAN E O'MALLEY as treasurer;)

KATHLEEN HICKS FOR CONGRESS,) AF# 2586
and DR CAMILLE RODRIGUEZ as)
treasurer;)
KELDA FOR CONGRESS, and) AF# 2587
LAURENE BACH as treasurer;)

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Certification for Administrative Fines
December 04, 2012

Page 2

MARK OXNER FOR CONGRESS, and) AF# 2590
AMPARO O OXNER as treasurer;)

Q. BYRUM HURST FOR CONGRESS,) AF# 2592
and HURST, QUINCY B. III as treasurer;)
RICH BECKER FOR CONGRESS, and) AF# 2593
MCBRIDE, JOHN B as treasurer;)
RUDY MOISE FOR CONGRESS, and) AF# 2594
MOISE, MIRJAM as treasurer;)
SALOMON TORRES FOR CONGRESS,) AF# 2595
and JUAN E RIVERA CPA as treasurer;)

STEVE SALAZAR FOR CONGRESS, and) AF# 2597
ROSARIO RODRIGUEZ as treasurer;)
SUSAN ADAMS FOR CONGRESS, and) AF# 2598
TAMARA S HULL as treasurer;)

TERRY WHITE FOR INDIANA, and) AF# 2600
TERRY A WHITE as treasurer;)
TEXANS FOR KY GRIFFIN, and) AF# 2601
RHONDA GRIFFIN as treasurer;)

WENONA FOR ARIZONA, and) AF# 2603
BALDENEGRO, SAL as treasurer;)

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CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on December 04, 2012 the Commission took the following actions on the Reason To Believe Recommendation - 2012 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated November 30, 2012, on the following committees:

AF#2573 Decided by a vote of 6-0 to: (1) find reason to believe that BENNETT FOR SENATE COMMITTEE, and JOSHUA A TARDY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2574 Decided by a vote of 6-0 to: (1) find reason to believe that BRUCE PELLER FOR CONGRESS, and PAULA ANDREA HENAO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2575 Decided by a vote of 6-0 to: (1) find reason to believe that BYRON GEORGIU FOR SENATE, and MATTHEW DICKSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2576 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT ERNIE BELTZ JR FOR US CONGRESS, and NATHAN CHRISTOPHER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2577 Decided by a vote of 6-0 to: (1) find reason to believe that CONNECTICUT FOR PETER LUMAJ, and ANTON RUKAJ as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2578 Decided by a vote of 6-0 to: (1) find reason to believe that DAN HUGHES FOR SENATE, and MICHELLE D MOONS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2579 Decided by a vote of 6-0 to: (1) find reason to believe that DAN LILJENQUEST FOR US SENATE, and MIKE MCCAULEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2580 Decided by a vote of 6-0 to: (1) find reason to believe that DR NOREN FOR US SENATE, and RICHARD PARKER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2581 Decided by a vote of 6-0 to: (1) find reason to believe that ELECT CLARK HALL, and CLATWORTHY, P.R. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2583 Decided by a vote of 6-0 to: (1) find reason to believe that HOOSIERS SUPPORTING BUYER FOR CONGRESS, and MATTIK, STEPHANIE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2584 Decided by a vote of 6-0 to: (1) find reason to believe that JACKSON EATON FOR CONGRESS, and JILLIAN E O'MALLEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2586 Decided by a vote of 6-0 to: (1) find reason to believe that KATHLEEN HICKS FOR CONGRESS, and DR CAMILLE RODRIGUEZ as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2587 Decided by a vote of 6-0 to: (1) find reason to believe that KELDA FOR CONGRESS, and LAURENE BACH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2590 Decided by a vote of 6-0 to: (1) find reason to believe that MARK OXNER FOR CONGRESS, and AMPARO O OXNER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2592 Decided by a vote of 6-0 to: (1) find reason to believe that Q. BYRUM HURST FOR CONGRESS, and HURST, QUINCY B. III as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2593 Decided by a vote of 6-0 to: (1) find reason to believe that RICH BECKER FOR CONGRESS, and MCBRIDE, JOHN B as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2594 Decided by a vote of 6-0 to: (1) find reason to believe that RUDY MOISE FOR CONGRESS, and MOISE, MIRJAM as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2595 Decided by a vote of 6-0 to: (1) find reason to believe that SALOMON TORRES FOR CONGRESS, and JUAN E RIVERA CPA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2597 Decided by a vote of 6-0 to: (1) find reason to believe that STEVE SALAZAR FOR CONGRESS, and ROSARIO RODRIGUEZ as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2598 Decided by a vote of 6-0 to: (1) find reason to believe that SUSAN ADAMS FOR CONGRESS, and TAMARA S HULL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2600 Decided by a vote of 6-0 to: (1) find reason to believe that TERRY WHITE FOR INDIANA, and TERRY A WHITE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2601 Decided by a vote of 6-0 to: (1) find reason to believe that TEXANS FOR KY GRIFFIN, and RHONDA GRIFFIN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2603 Decided by a vote of 6-0 to: (1) find reason to believe that WENONA FOR ARIZONA, and BALDENEGRO, SAL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount

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indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

December 4, 2012
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 5, 2012

John B. McBride, in official capacity as Treasurer
Rich Becker for Congress
1 Croton Point Avenue
Croton On Hudson, NY 10520

C00499046
AF#: 2593

Dear Mr. McBride:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period through September 30, 2012, shall be filed no later than October 15, 2012. 2 U.S.C. 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On December 4, 2012, the FEC found that there is reason to believe ("RTB") that Rich Becker for Congress and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) by failing to file timely this report on or before October 15, 2012. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$2,970. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$2,970 is due within forty (40) days of the finding, or by January 13, 2013, and is based on these factors:

Sensitivity of Report: Not Election Sensitive
Level of Activity: \$51,853
Number of Days Late: Not Filed
Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street,

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NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or January 13, 2013. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Rich Becker for Congress and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

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3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 CFR § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,

Carole C. Hunter

Caroline C. Hunter
Chair

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ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$2,970 for the 2012 October Quarterly Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by January 13, 2013. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Rich Becker for Congress

FEC ID#: C00499046

AF#: 2593

PAYMENT DUE DATE: January 13, 2013

PAYMENT AMOUNT DUE: \$2,970

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2013 FEB 22 PM 3: 53

February 22, 2013

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: *W*odi Winship/Sari Pickerall *SP*
Compliance Branch

SUBJECT: Administrative Fine Program -Final Determination Recommendation for the
2012 October Quarterly Report (Non-Election Sensitive)

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2012 October Quarterly Report (Non-Election Sensitive). The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, seventeen (17) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. Of these, thirteen (13) committees will be assessed a civil money penalty at Final Determination (FD) that has been reduced since the RTB finding, and four (4) committees will be assessed a civil money penalty of \$0 at FD. An overview of each of these cases has been provided below.

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Bruce Peller for Congress (AF 2574) filed the 2012 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$4,000 (previously estimated to be \$35,477), thus the fine would be lowered from \$990 to \$250.

Byron Georgiou for Senate (AF 2575) filed the 2012 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$78 (previously estimated to be \$581,709), thus the fine would be lowered from \$11,000 to \$78.

Committee to Elect Ernie Beltz, Jr. for US Congress (AF 2576) filed the 2012 Termination Report with coverage dates including the October Quarterly period after the RTB finding and disclosed no activity (previously estimated to be \$50,586), which would result in no civil money penalty (fine previously assessed to be \$2,970).

Connecticut for Peter Lumaj (AF 2577) filed the 2012 Termination Report with coverage dates including the October Quarterly period after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$586 (previously estimated to be \$131,967), thus the fine would be lowered from \$4,950 to \$250.

Dan Hughes for Senate (AF 2578) filed the 2012 Termination Report with coverage dates including the October Quarterly period after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$354 (previously estimated to be \$164,290), thus the fine would be lowered from \$6,050 to \$250.

Jackson Eaton for Congress (AF 2584) filed the 2012 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and

disbursements of \$2,879 (previously estimated to be \$122,641), thus the fine would be lowered from \$4,950 to \$250.

Kathleen Hicks for Congress (AF 2586) filed the 2012 October Quarterly Report after the RTB finding and disclosed no activity (previously estimated to be \$45,437), which would result in no civil money penalty (fine previously assessed to be \$990).

Q. Byrum Hurst for Congress (AF 2592) filed the 2012 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$3,994 (previously estimated to be \$155,566), thus the fine would be lowered from \$6,050 to \$250.

Rudy Moise for Congress (AF 2594) filed the 2012 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$72,975 (previously estimated to be \$123,521), thus the fine would be lowered from \$4,950 to \$2,970.

Steve Salazar for Congress (AF 2597) disclosed no activity after the RTB finding (previously estimated to be \$110,712), which would result in no civil money penalty (fine previously assessed to be \$6,187).

Terry White for Indiana (AF 2600) filed the 2012 Termination Report with coverage dates including the October Quarterly period after the RTB finding and disclosed no activity (previously estimated to be \$62,145), which would result in no civil money penalty (fine previously assessed to be \$2,970).

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In addition, two (2) committees detailed below designated a new Treasurer after the RTB finding:

- Terry White for Indiana (AF 2600) filed an Amended Statement of Organization designating Philip Schnautz as Treasurer (see second list).

RAD Recommendation

- (1) Make final determination that the political committees and their treasurers on the attached reports violated 2 U.S.C. § 434(a) and assess the final civil money penalties so indicated.
- (2) Make final determination that the political committees and their treasurers listed on the attached reports with no activity, violated 2 U.S.C. § 434(a) and will not be assessed a civil money penalty.
- (3) Send the appropriate letters.

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Federal Election Commission
FD Circulation Report Fine Paid
2012 OCTOBER QUARTERLY Not Election Sensitive 10/15/2012 H_S_P_UNAUTH

| AF# | Committee Name | Candidate Name | Committee ID | Treasurer | Receipt Date | Days Late | LOA | PV | RTB Date | RTB Penalty | Final Money Penalty | Date Paid | Amount Paid |
|------|--|--------------------------|--------------|---------------------|--------------|-----------|----------|----|------------|-------------|---------------------|------------|-------------|
| 2573 | BENNETT FOR SENATE COMMITTEE | BENNETT, RICHARD A | C00518468 | JOSHUA A. TARDY | 10/31/2012 | 18 | \$6,000 | 0 | 12/04/2012 | \$135 | \$135 | 01/15/2013 | \$135 |
| 2581 | ELECT CLARK HALL | HALL, CLARK MADISON | C00504845 | P.R. CLATWORTHY | 10/22/2012 | 7 | \$11,803 | 0 | 12/04/2012 | \$145 | \$145 | 12/26/2012 | \$145 |
| 2583 | HOOSIERS SUPPORTING BUYER FOR CONGRESS | BUYER, CONGRESSMAN STEVE | C00255471 | STEPHANIE MATTIX | 11/19/2012 | Not Filed | \$15,938 | 0 | 12/04/2012 | \$550 | \$550 | 01/08/2013 | \$550 |
| 2580 | MARK OXNER FOR CONGRESS | OXNER, MARK ANTHONY | C00503358 | AMPARO O. OXNER | 12/18/2012 | Not Filed | \$28,466 | 0 | 12/04/2012 | \$980 | \$980 | 01/14/2013 | \$980 |
| 2595 | SALOMON TORRES FOR CONGRESS | TORRES, SALOMON | C00508620 | JUAN E. RIVERA, CPA | 11/01/2012 | 17 | \$4,087 | 0 | 12/04/2012 | \$110 | \$110 | 01/16/2013 | \$110 |
| 2601 | TEXANS FOR KY GRIFFIN | GRIFFIN, KY DOUGLAS | C00508598 | RHONDA GRIFFIN | 11/05/2012 | 21 | \$13,131 | 0 | 12/04/2012 | \$215 | \$215 | 01/08/2013 | \$215 |

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Federal Election Commission
FD Circulation Report - Fine Not Paid
2012 OCTOBER QUARTERLY Not Election Sensitive 10/15/2012 H_S_P_UNAUTH

| AF# | Committee Name | Candidate Name | Committee ID | Treasurer | Receipt Date | Days Late | LOA | PV | RTB Date | RTB Penalty | Days Since RTB | FD Penalty |
|------|---|--------------------------------|--------------|-----------------------|--------------|-----------|-----------|----|------------|-------------|----------------|------------|
| 2574 | BRUCE PELLER FOR CONGRESS | PELLER, BRUCE G | C00519886 | PAULA ANDREA HENAO | 01/24/2013 | Not Filed | \$4,000 | 0 | 12/04/2012 | \$990 | 80 | \$250 |
| 2575 | BYRON GEORGIU FOR SENATE | GEORGIU, BYRON | C00483742 | MATTHEW DICKSON | 12/17/2012 | Not Filed | \$78 | 0 | 12/04/2012 | \$11,000 | 80 | \$78 |
| 2576 | COMMITTEE TO ELECT ERNIE BELTZ JR FOR US CONGRESS | BELTZ, ERNIE ALAN JR | C00508705 | NATHAN CHRISTOPHER | 02/05/2013 | Not Filed | \$0 | 0 | 12/04/2012 | \$2,870 | 80 | NONE |
| 2577 | CONNECTICUT FOR PETER LUMAJ | LUMAJ, PUERIN (PETER) | C00504286 | ANTON RUKAJ | 12/28/2012 | Not Filed | \$586 | 0 | 12/04/2012 | \$4,950 | 80 | \$250 |
| 2578 | DAN HUGHES FOR SENATE | HUGHES, DANIEL J | C00506741 | MICHELLE D. MOONS | 11/21/2012 | Not Filed | \$354 | 0 | 12/04/2012 | \$6,050 | 80 | \$250 |
| 2580 | DR NOREN FOR US SENATE | NOREN, SCOTT ANDREW | C00458422 | RICHARD PARKER | 11/09/2012 | 24 | \$16,078 | 0 | 12/04/2012 | \$230 | 80 | \$230 |
| 2584 | JACKSON EATON FOR CONGRESS | EATON, J JACKSON | C00507004 | JILLIAN E. O'MALLEY | 01/18/2013 | Not Filed | \$2,879 | 0 | 12/04/2012 | \$4,950 | 80 | \$250 |
| 2586 | KATHLEEN HICKS FOR CONGRESS | HICKS, ERIN KATHLEEN | C00507590 | DR. CAMILLE RODRIGUEZ | 01/03/2013 | Not Filed | \$0 | 0 | 12/04/2012 | \$980 | 80 | NONE |
| 2587 | KELDA FOR CONGRESS | ROYS, KELDA HELEN | C00501965 | LAURENE BACH | 12/28/2012 | Not Filed | \$153,223 | 0 | 12/04/2012 | \$6,050 | 80 | \$6,050 |
| 2592 | Q. BYRUM HURST FOR CONGRESS | HURST, Q. BYRUM JR | C00517102 | QUINCY B. HURST, III | 01/14/2013 | Not Filed | \$3,994 | 0 | 12/04/2012 | \$6,050 | 80 | \$250 |
| 2593 | RICH BECKER FOR CONGRESS | BECKER, RICHARD H | C00499046 | JOHN B. MCBRIDE | 01/31/2013 | Not Filed | \$51,889 | 0 | 12/04/2012 | \$2,970 | 80 | \$2,970 |
| 2594 | RUDY MOISE FOR CONGRESS | MOISE, RUDOLPH | C00468652 | MIRJAM MOISE | 01/08/2013 | Not Filed | \$72,975 | 0 | 12/04/2012 | \$4,950 | 80 | \$2,970 |
| 2597 | STEVE SALAZAR FOR CONGRESS | SALAZAR, STEVE | C00518027 | ROSARIO RODRIGUEZ | | Not Filed | \$0 | 1 | 12/04/2012 | \$6,187 | 80 | NONE |
| 2600 | TERRY WHITE FOR INDIANA | WHITE, TERRY A | C00494773 | PHILIP SCHNAUTZ | 01/11/2013 | Not Filed | \$0 | 0 | 12/04/2012 | \$2,970 | 80 | NONE |
| 2603 | WENONA FOR ARIZONA | BALDENEGRO, WENONA RAE RENAIIV | C00497404 | SAL BALDENEGRO | 11/01/2012 | 17 | \$28,943 | 0 | 12/04/2012 | \$540 | 80 | \$540 |

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Administrative Fine Program - Final)
Determination Recommendation for the)
2012 October Quarterly Report (Non-)
Election Sensitive):)

BENNETT FOR SENATE COMMITTEE,) AF# 2573
and JOSHUA A. TARDY as treasurer;)
BRUCE PELLER FOR CONGRESS, and) AF# 2574
PAULA ANDREA HENAO as treasurer;)
BYRON GEORGIU FOR SENATE, and) AF# 2575
MATTHEW DICKSON as treasurer;)
COMMITTEE TO ELECT HERNIE BELTZ) AF# 2576
JR FOR US CONGRESS, and NATHAN)
CHRISTOPHER as treasurer;)
CONNECTICUT FOR PETER LUMAJ,) AF# 2577
and ANTON RUKAJ as treasurer;)
DAN HUGHES FOR SENATE, and) AF# 2578
MICHELLE D MOONS as treasurer;)
DR NOREN FOR US SENATE, and) AF# 2580
RICHARD PARKER as treasurer;)
ELECT CLARK HALL, and) AF# 2581
CLATWORTHY, P.R. as treasurer;)

HOOSIERS SUPPORTING BUYER FOR) AF# 2583
CONGRESS, and MATTIX, STEPHANIE)
as treasurer;)
JACKSON EATON FOR CONGRESS, and) AF# 2584
JILLIAN E O'MALLEY as treasurer;)

KATHLEEN HICKS FOR CONGRESS,) AF# 2586
and DR CAMILLE RODRIGUEZ as)
treasurer;)

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KELDA FOR CONGRESS, and) AF# 2587
LAURENE BACH as treasurer;)

MARK OXNER FOR CONGRESS, and) AF# 2590
AMPARO O OXNER as treasurer;)

Q. BYRUM HURST FOR CONGRESS,) AF# 2592
and HURST, QUINCY B. III as treasurer;)
RICH BECKER FOR CONGRESS, and) AF# 2593
MCBRIDE, JOHN B as treasurer;)
RUDY MOISE FOR CONGRESS, and) AF# 2594
MOISE, MIRJAM as treasurer;)
SALOMON TORRES FOR CONGRESS,) AF# 2595
and JUAN E RIVERA CPA as treasurer;)

STEVE SALAZAR FOR CONGRESS, and) AF# 2597
ROSARIO RODRIGUEZ as treasurer;)

TERRY WHITE FOR INDIANA, and) AF# 2600
PHILIP SCHNAUTZ as treasurer;)
TEXANS FOR KY GRIFFIN, and) AF# 2601
RHONDA GRIFFIN as treasurer;)

WENONA FOR ARIZONA, and) AF# 2603
BALDENEGRO, SAL as treasurer;)

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CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on February 26, 2013 the Commission took the following actions on the Administrative Fine Program - Final Determination Recommendation for the 2012 October Quarterly Report (Non-Election Sensitive) as recommended in the Reports Analysis Division's Memorandum dated February 22, 2013, on the following committees:

AF#2573 Decided by a vote of 5-0 to: (1) make a final determination that BENNETT FOR SENATE COMMITTEE, and JOSHUA A. TARDY as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2574 Decided by a vote of 5-0 to: (1) make a final determination that BRUCE PELLER FOR CONGRESS, and PAULA ANDREA HENAO as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2575 Decided by a vote of 5-0 to: (1) make a final determination that BYRON GEORGIU FOR SENATE, and MATTHEW DICKSON as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2576 Decided by a vote of 5-0 to: (1) make a final determination that COMMITTEE TO ELECT ERNIE BELTZ JR FOR US CONGRESS, and NATHAN CHRISTOPHER as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2577 Decided by a vote of 5-0 to: (1) make a final determination that CONNECTICUT FOR PETER LUMAJ, and ANTON RUKAJ as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2578 Decided by a vote of 5-0 to: (1) make a final determination that DAN HUGHES FOR SENATE, and MICHELLE D MOONS as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2580 Decided by a vote of 5-0 to: (1) make a final determination that DR NOREN FOR US SENATE, and RICHARD PARKER as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2581 Decided by a vote of 5-0 to: (1) make a final determination that ELECT CLARK HALL, and CLATWORTHY, P.R. as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2583 Decided by a vote of 5-0 to: (1) make a final determination that HOOSIERS SUPPORTING BUYER FOR CONGRESS, and MATTIX, STEPHANIE as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2584 Decided by a vote of 5-0 to: (1) make a final determination that JACKSON EATON FOR CONGRESS, and JILLIAN E O'MALLEY as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2586 Decided by a vote of 5-0 to: (1) make a final determination that KATHLEEN HICKS FOR CONGRESS, and DR CAMILLE RODRIGUEZ as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2587 Decided by a vote of 5-0 to: (1) make a final determination that KELDA FOR CONGRESS, and LAURENE BACH as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2590 Decided by a vote of 5-0 to: (1) make a final determination that MARK OXNER FOR CONGRESS, and AMPARO O OXNER as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2592 Decided by a vote of 5-0 to: (1) make a final determination that Q. BYRUM HURST FOR CONGRESS, and HURST, QUINCY B. III as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2593 Decided by a vote of 5-0 to: (1) make a final determination that RICH BECKER FOR CONGRESS, and MCBRIDE, JOHN B as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2594 Decided by a vote of 5-0 to: (1) make a final determination that RUDY MOISE FOR CONGRESS, and MOISE, MIRJAM as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2595 Decided by a vote of 5-0 to: (1) make a final determination that SALOMON TORRES FOR CONGRESS, and JUAN B RIVERA CPA as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2597 Decided by a vote of 5-0 to: (1) make a final determination that STEVE SALAZAR FOR CONGRESS, and ROSARIO RODRIGUEZ as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2600 Decided by a vote of 5-0 to: (1) make a final determination that TERRY WHITE FOR INDIANA, and PHILIP SCHNAUTZ as treasurer , violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2601 Decided by a vote of 5-0 to: (1) make a final determination that TEXANS FOR KY GRIFFIN, and RHONDA GRIFFIN as treasurer , violated 2 U.S.C. 434(a) and

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assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2603 Decided by a vote of 5-0 to: (1) make a final determination that WENONA FOR ARIZONA, and BALDENEGRO, SAL as treasurer, violated 2 U.S.C. 434(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

February 27, 2013
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 27, 2013

John B. McBride, in official capacity as Treasurer
Rich Becker for Congress
1 Croton Point Avenue
Croton On Hudson, NY 10520

C00499046
AF#: 2593

Dear Mr. McBride:

On December 4, 2012, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Rich Becker for Congress and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) for filing late or failing to file the 2012 October Quarterly Report. By letter dated December 5, 2012, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage to be \$2,970 in accordance with the schedule of penalties at 11 CFR § 111.43. Within 40 days of the FEC's RTB finding, you were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. Since that time, the amount of the level of activity has been changed to reflect the actual level of activity of the 2012 October Quarterly Report. The FEC made a final determination on February 26, 2013 that Rich Becker for Congress and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty in the amount of \$2,970 in accordance with 11 CFR § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive

Level of Activity: \$51,869

Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are considered not filed for the purposes of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in

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which the committee or you reside, or transact business, requesting that the final determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 CFR § 111.38.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 *et seq.* If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed remittance form, along with your payment, to the address on page 4 within 30 days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 CFR § 111.42(b). Although the file must be placed on the public record within thirty (30) days from the date of the Commission's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Sari Pickerall at Federal Election Commission, 999 E St., NW, Washington, DC 20463, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

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On behalf of the Commission,

Ellen L. Weintraub

Ellen L. Weintraub
Chair

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ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$2,970 for the 2012 October Quarterly Report.

This penalty should be paid by check or money order made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

Payments by Personal Check

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Rich Becker for Congress

FEC ID#: C00499046

REPORT: 2012 October Quarterly

AF#: 2593

PAYMENT AMOUNT DUE: \$2,970

13092683565

FOR: Rich Becker for Congress

FEC ID#: C00499046

AF#: 2593

PAYMENT DUE DATE: January 13, 2013

PAYMENT AMOUNT DUE: \$2,970

FEDERAL ELECTION COMMISSION

Lockbox: GLX-979058

Ledger Date 04/01/2013

usbank.

St. Louis GA Lockbox
(314) 425-1818



| Batch | Item | TID | Batch Total | Amount |
|-------|------|-----------|-------------|------------|
| 1 | 4 | Y-4006208 | \$5,120.00 | \$2,970.00 |



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2593

DATE SCANNED

5/15/13

SCANNER NO.

2

SCAN OPERATOR

EES

13092683567